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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/058,036	01/29/2002	Toshihiro Takagi	3064IT/50896	2683

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EXAMINER
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PARRY, CHRISTOPHER L

ART UNIT	PAPER NUMBER
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2623

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/058,036	<b>Applicant(s)</b> TAKAGI ET AL.	
	<b>Examiner</b> Chris Parry	<b>Art Unit</b> 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 is/are allowed.
- 6) ☒ Claim(s) 2, 4 and 5 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/26/02</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because of the following informalities: On page 16, lines 14 and page 18, line 5; "cursol" should be --cursor--.

Appropriate correction is required.

2. The disclosure is objected to because of the following informalities: On page 18, lines 17-19, "main channel number is not all present (NO at #13), the operation returns to #2, and repeats #2 through #5" should be --sub-channel number is not all present (NO at #13), the operation returns to #11, and repeats #11 through #13--.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2623

4. Claims 2 and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Shintani et al. "Shintani" (U.S. 6,661,472).

Regarding Claim 2, Shintani discloses, a channel selection device (150 – figure 1B) in the digital/analog broadcasting receiver comprising, a receiver (160 – figure 1B) for receiving coded digital/analog broadcasting signals transmitted from a broadcasting station (Col. 4, lines 24-34).

Shintani teaches, a digital/analog decoder (170 – figure 1B) for decoding the digital/analog broadcasting signals received by the receiver and outputting them to an image-displaying display device (155 – figure 1B) connected to the broadcasting receiver (Col. 4, lines 24-43). Shintani discloses channel processing circuit 170 or "digital/analog decoder" can extract and decode a video signal and an audio signal from a transport stream.

Shintani teaches, a memory (175 – figure 1B) for storing a channel information included in the broadcasting signals decoded by the digital decoder (Col. 4, lines 8-13). Shintani teaches channel look up table 175 is implemented as writeable memory and used to store desired channel information.

Shintani teaches, a control unit (165 – figure 1B) for controlling the device (Col. 3, line 32 – Col. 4, line 7).

Shintani teaches, an input device (100 – figure 1A) used for a user to input an operation instruction including the channel selection to the control unit, wherein the digital broadcasting signals have one or a plurality of sub-channels to transmit contents in one main channel (Col. 3, lines 3-51).

Shintani further teaches, the input device (100 – figure 1A) has a predetermined operation key (110 – figure 1A) to which an operation instruction is assigned to fix the channel, in addition to numerical-value input keys (105 – figure 1) for inputting the channel number (Col. 3, lines 6-33).

Shintani teaches, the control unit (165 – figure 1B), when receiving an instruction by the predetermined operation key while the broadcasting receiver is receiving the broadcast, waits for the sub-channel number input (figure 2A; Col. 5, lines 1-9 and lines 25-35). Shintani discloses channel control circuit 165 or “the control unit” will wait for a predetermined time period for the input of the minor channel or “sub-channel”.

As for Claim 4, Shintani teaches, the channel selection device in the digital/analog broadcasting receiver according to claim 2, wherein the predetermined operation key (110 – figure 1A) is a “-” key (Col. 3, lines 30-33). Shintani discloses the delimiter key 110 or “operation key” can take any form, such as a dash “-”.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shintani in view of Choi (U.S. 6,598,233).

As for Claim 5, Shintani discloses, the channel control circuit 165 controls the displaying of the main channel number and the sub-channel number inputted by the numerical-value input keys and fixed by the control unit on the display device (Col. 5, lines 5-7).

However, Shintani fails to explicitly disclose the channel selection device further comprises an On-Screen Display (hereinafter described as OSD) output circuit for OSD displaying the main channel number and the sub-channel number inputted by the numerical-value input keys and fixed by the control unit on the display device. In an analogous art, Choi discloses the channel selection device (figure 3) further comprises an On-Screen Display (hereinafter described as OSD) output circuit (32 – figure 3) (Col. 3, lines 34-37). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shintani with the teachings of Choi to

Art Unit: 2623

include an On-Screen Display output circuit for the benefit of displaying the channel numbers on the display to provide the users with feedback (Shintani – Col. 5, lines 5-7).

***Allowable Subject Matter***

7. Claim 1 is allowed.

8. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter: Regarding Claim 1, the Examiner could not find any art to teach or fairly suggest a selection procedure where a user first presses a predetermined operation key, which automatically inputs the currently received main channel and the user then enters the sub-channel number to cause the receiver to tune to the requested sub-channel within the same main channel in combination with other elements recited in the claim. The closest art of record, Park et al. (U.S. 6,084,645) discloses a user can tune to an HDTV program by pressing the dot key on the remote control followed by the numeral "0". Park however fails to teach fixing the currently received main channel number.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chris Parry whose telephone number is (571) 272-8328. The examiner can normally be reached on Monday through Friday, 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiners Initials: CU  
April 13, 2006

  
**CHRISTOPHER GRANT**  
**SUPERVISORY PATENT EXAMINER**  
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